



S/N 10/509,667

PCT
DT07 Rec'd PCT/PTO 27 DEC 2004

PATENT

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: de Bougrenet de la
Tocnaye et al.

Serial No.: 10/509,667

Filed: September 27, 2004

Docket No.: 09320.0174USWO

Title: OPTICAL FILTERING DEVICE USING A PROGRAMMABLE
DIFFRACTIVE ELEMENT, AND CORRESPONDING SPATIAL
SPECTRAL BAND ROUTER AND CHROMATIC DISPERSION
COMPENSATION DEVICE

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450 on December 20, 2004.

By: 

Name: Antonette Peters

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information are copies of a French and International Search Report. At least some of the references were recently cited in the French Search Report mailed January 24, 2003, and International Search Report mailed November 20, 2003.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

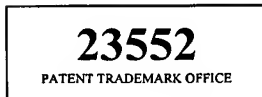
A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June

30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

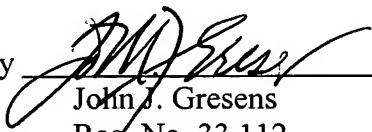
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.



Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: December 20, 2004

By 
John J. Gresens
Reg. No. 33,112

JJG/acp

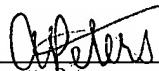


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: de Bougrenet de la Tocnaye et al.
Serial No.: 10/509,667
Filed: September 27, 2004 Docket: 09320.0174USWO
Title: OPTICAL FILTERING DEVICE USING A PROGRAMMABLE DIFFRACTIVE ELEMENT,
AND CORRESPONDING SPATIAL SPECTRAL BAND ROUTER AND CHROMATIC
DISPERSION COMPENSATION DEVICE

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 20, 2004.

By: 
Name: Antonette Peters

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552
PATENT TRADEMARK OFFICE


Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 12 Reference(s), French Search Report, International Search Report
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: 
Name: John J. Gresens
Reg. No.: 33,112
JJG/acp

#14

FORM 1449 INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 09320.0174USWO	Application Number: 10/509,667
	Applicant: de Bougrenet de la Tocnaye et al.	
	Filing Date: September 27, 2004	Group Art Unit:

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2002/0105725 A1	08/2002	Sweatt et al.			
	5,812,318	09/1998	Babbitt et al.			
	6,014,483	01/2000	Thual et al.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	2 752 623	08/1996	FR			Abstract	
	02/075411 A1	09/2002	WIPO				
	99/56159	11/1999	WIPO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		Babbitt et al. "Optical Waveform Processing and Routing with Structured Surface Gratings". 1998 Vo. 148, pp. 23-26.
		Butler et al. "A MEMS-based Programmable Diffraction Grating for Optical Holography in the Spectral Domain". XP-001075651 Polychromix, Inc., Sandia National Laboratories, Honeywell Technology Center, Massachusetts Institute of Technology.
		Hirano et al. "Dispersion Compensating Fiber Over 140 nm-Bandwidth". Sumitomo Electric Industries, Ltd.
		Laude et al. "A new method for broadening and flattening the spectral shape of the transmission channels of Grating Wavelength Division Multiplexers (WDM) and Routers". <i>Third Optoelectronics and Communications Conference (OECC 1998) Technical Digest</i> July 1998.
		Lam et al. "Programmable Optical Multicasting in a Regional/Metro Area Network Using a Wavelength Selective Optical Cross-connect". AT&T Labs - Research, JDS Uniphase, Johns Hopkins University.
		Quetel et al. "Programable Fiber Grating Based wavelength Demultiplexer". <i>OFC '96 Technical Digest</i> XP 000620997
		Rhee et al. "Variable Passband Optical Add-Drop Multiplexer Using Wavelength Selective Switch". Corning Incorporated, Latus Lightworks, Inc.
		Senior "Devices for Wavelength Multiplexing and Demultiplexing". <i>I.E.E. Proceedings-J</i> June 1989, Vol. 136, No. 3, Part J, pp. 183-202.
		Srikant "Broadband dispersion and dispersion slope compensation in high bit rate and ultra haul systems". <i>Science and Technology</i> , SP-TD-02

23552 PATENT TRADEMARK OFFICE	DATE CONSIDERED
	EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.